1945

File No. B Rents, Hotel Rates & Lodging House Rates/45.

Legal Department.

B **BRANCH**

Subject:—

A Bill to amend the Bombay Rents Hotel Rates & Lodging House Rat (control) Act, 1944

[Amendment of sec. 4]

[XVIII of 1945]

2/1945 E

File No. B. Rents Hotel Rates & Lodging House Rates/45

Gen. 194 e.

460-R

Office of the R.L.A.

Revised draft Bill and Statement are sent herewith.

2. The subject matter of the Bill falls under entries Nos. 1,2,21 and 37 of List II and entries Nos. 4, 8, 10 and 15 of List III in the Seventh Schedule to the Government of India Act, 1935. The provisions of the Bill in relation to premises let for other than residential purposes in the Bombay Suburban District are repugnant to the Transfer of Property Act, 1882 and the Contract Act, 1872, which are matters relating to entries Nos. 8, 10, 4 and 15 of the concurrent Legislative List. It will therefore be neccessary to reserve the Bill for the consideration of the Governor General with reference to section 107(2) of the Government of India Act 1935 and paragraph (2) of the Proclamation.

Id/- P.N.M.
4/4/45.
Remembrancer of Legal Affairs.

U.R. to G.D. No. 2614, dated the 4th April 1945.

MSR.
13/6.

- UR -
16/7

K.S.R.
16/7

No. 5636.
Legal Department,
Bombay Castle,
31st July 1945.

From

P.N. Moos, Esquire, Bar-at-Law, I.C.S.,
Secretary to the Government of Bombay;.

To

The Secretary to the Governor of Bombay;

Subject:- A Bill to amend the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944.

Sir,

With reference to your memorandum No. 201/107 dated the 4th May 1945. addressed to the General Department, on the above subject, I am directed to send herewith a copy of the Bill to amend the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944, prepared by His Excellency the Governor under paragraph (2) of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, and to request you to forward the same to the Secretary to the Governor General (Public) for obtaining the assent of His Excellency the Governor General.

2. The subject matter of the Bill falls under entries Nos. 1, 2, 21 and 37 of List II and entries Nos. 4, 8, 10 and 15 of List III in the Seventh

Schedule to the Government of India Act, 1935. The provisions of the Bill in relation to premises let for other than residential purposes in the Bombay Suburban District are repugnant to the Transfer of Property, 1882 and the Contract Act, 1872, which are matters relating to entries Nos. 8 and 10, of the Concurrent Legislative List. It will therefore be necessary to reserve the Bill for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935, and paragraph (2) of the Proclamation.

3. I also forward herewith six spare copies of the Bill out of which five copies are for transmission to the Secretary to the Governor General (Public).

Yours obedient servant,

Id/- P.N.M.

30/7/45.

Secretary to the Government of Bombay,
Legal Department.

Through :

The Secretary to the Government of Bombay,
General Department.

MSR.
12/7.

No. 201(107)

Office of the Governor's Secretary

Government House,

From

D. Symington, Esquire, CIE.ICS.
Secretary to the Governor of Bombay

To

The Secretary to Government,
Legal Department, Bombay,

Ganeshkhind,
28th August 1945.

Subject: The Bombay Rents, Hotel Rates and Lodging House Rates (Control) (Amendment) Bill, 1945.

Sir,

With reference to your letter No. 5636, dated 31st July 1945, on the above subject, I am directed to forward herewith the copy of the Bombay Rents, Hotel Rates and Lodging House Rates (Control)(Amendment) Bill, 1945, with His Excellency the Governor-General's assent signified thereon.

Yours obedient servant,

Sd/-

for Secretary to the Governor of Bombay.

MSR.
13/7.

Acts.

Publication of the Bombay Rents, Hotel Rates and Lodging House Rates (Control) (Amendment) Act, 1945.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 6493
Bombay Castle, 3rd September 1945.

Letter to the Secretary to the Governor, No. 5636, dated the 31st July 1945.

Letter from the Secretary to the Governor, No. 201(107), dated the 28th August 1945.

"With reference to your letter No. 5636, dated 31st July 1945, on the above subject, I am directed to forward herewith the copy of the Bombay Rents, Hotel Rates and Lodging House Rates (Control)(Amendment) Bill, 1945, with His Excellency the Governor-General's assent signified thereon".

RESOLUTION :- The law should be published as Bombay Act No. XVIII of 1945 in the Bombay Government Gazette dated the 3rd September 1945.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devanagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the General Department.

By order of the Governor of Bombay,
Sd/-
Deputy Secretary to Government.

To

The Manager, Government Central Press, Bombay(with a copy of the Act and with a request that 15 gazette copies of the Act may be forwarded to the Legal Department).
The General Department,
* The Oriental Translator to Government, Bombay (with a copy of the Act,).
The Secretary to the Bombay Legislative Council (with a copy of the Act).
The Secretary to the Bombay Legislative Assembly (with a copy of the Act).

* With five extra copies.

MS

Bom Act

GOVERNOR'S BILL No. XVIII OF 1945.

A Bill to amend the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944.

WHEREAS it is expedient to amend the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944, for the purpose hereinafter appearing; Bom. VII of 1944.

AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature; 26 Geo. 5, Ch. 2.

NOW, THEREFORE, in exercise of the said powers, the Governor of Bombay is pleased to make the following Act:—

1. This Act may be called the Bombay Rents, Hotel Rates and Lodging House Rates (Control) (Amendment) Act, 1945. Short title.

2. In sub-section (3) of section 4 of the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944, after the words "City of Bombay," the words "Bombay Suburban District," shall be inserted. Bom. VII of 1944. Amendment of sub-section (3) of section 4 of Bom. VII of 1944.

P Bk H 436

STATEMENT.

Part II of the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944, provides for the control and regulation of residential and other premises. In the City of Bombay the provisions of Part II of the Act apply to premises let for any purpose other than storage of goods. In the Bombay Suburban District, however, Part II is applicable to any building or part of a building let for the purpose of residence only. In view of the establishment of several business concerns in the Bombay Suburban District, and the fact that the conditions prevailing therein are very similar to those in the City of Bombay, Government considers it essential to extend the provisions of Part II of the Act also to business premises in the Bombay Suburban District. The draft Bill is intended to achieve this object.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.